

87th Legislative Session – 2012

Committee: House Judiciary

Monday, January 30, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Boomgarden
P Feinstein
P Gibson
P Hansen (Jon)
E Killer
P Kopp
P Nelson (Stace)
P Russell
P Tornow
P Turbiville
P Gosch, Vice-Chair
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman, Representative Roger Hunt.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 25, 2012

Moved by: Turbiville
Second by: Gibson
Action: Prevailed by voice vote.

HB 1067: guarantee an employee's right to secure a physician and other medical services of their choosing for care under a worker's compensation claim.

Presented by: Representative Patrick Kirschman
Proponents: Mark Anderson, State Federation of Labor AFL-CIO, SD
Opponents: Mike Shaw, Property Casualty Insurance Association of America

James Marsh, Department of Labor and Regulation
David Owen, SD Chamber of Commerce and Industry
Shawn Lyons, SD Retailers Association
Justin Smith, Sioux Falls Chamber
Lindsey Riter-Rapp, National Federation of Independent Business
Myron Rau, SD Trucking Association
Julie Johnson, Absolutely Aberdeen
Deb Mortenson, Associated General Contractors of SD - HHU Chapter
Michele Brich, SD Innkeepers Association

MOTION: DEFER HB 1067 TO THE 41ST LEGISLATIVE DAY

Moved by: Abdallah
Second by: Turbiville
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Abdallah, Boomgarden, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Voting No: Feinstein, Gibson

Excused: Killer

MOTION: SUBSTITUTE MOTION DO PASS HB 1067

Moved by: Feinstein
Second by: Gibson
Action: Failed by roll call vote. (2-10-1-0)

Voting Yes: Feinstein, Gibson

Voting No: Abdallah, Boomgarden, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Killer

HB 1068: guarantee the right of individuals to secure medical services of their choosing.

Presented by: Representative Patrick Kirschman
Proponents: Mark Anderson, State Federation of Labor AFL-CIO, SD
Opponents: Dave Hewett, SD Association of Healthcare Organizations

Dennis Duncan, Dakotacare
Dick Tieszen, SD Associated School Boards
Justin Smith, Sioux Falls Chamber
James Marsh, Department of Labor and Regulation
Jill Kruger, Department of Labor and Regulation

MOTION: TO TABLE HB 1068

Moved by: Boomgarden
Second by: Gosch
Action: Prevailed by roll call vote. (10-1-2-0)

Voting Yes: Boomgarden, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Voting No: Feinstein

Excused: Abdallah, Killer

HJR 1003: Proposing and submitting to the electors at the next general election an amendment to Article VI of the Constitution of the State of South Dakota, relating to the right of individuals to secure medical services of their choosing.

Presented by: Representative Patrick Kirschman
Proponents: Mark Anderson, State Federation of Labor AFL-CIO, SD
Opponents: David Hewett, SD Association of Healthcare Organizations
Shawn Lyons, SD Retailers Association
David Owen, SD Chamber of Commerce and Industry
James Marsh, Department of Labor and Regulation

MOTION: DO PASS HJR 1003

Moved by: Gibson
Second by: Feinstein
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HJR 1003 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Abdallah, Boomgarden, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Voting No: Feinstein, Gibson

Excused: Killer

HB 1132: prohibit businesses and employers from establishing certain policies against the ability of an invitee or employee to store firearms and ammunition in a locked motor vehicle parked on the premises.

Presented by: Senator Russell Olson

Proponents: Brent Gardner, National Rifle Association
Joe Kraljic, Rail Conference and Teamsters
Representative Betty Olson

Opponents: Shawn Lyons, SD Retailers Association
David Owen, SD Chamber of Commerce and Industry
Dianna Miller, SD Network Against Family Violence and Sexual Assault
Myron Rau, SD Trucking Association
Dick Gregerson, Sioux Falls Chamber of Commerce
Julie Johnson, Absolutely Aberdeen
Michele Brich, SD Innkeepers Association
Lindsey Riter-Rapp, Sd Association Criminal Defense Lawyers

MOTION: DO PASS HB 1132

Moved by: Gosch

Second by: Kopp

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND HB 1132

1132ra

On page 2, line 1, of the printed bill, delete "an" and insert "any".

Moved by: Tornow

Second by: Nelson (Stace)

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1132 AS AMENDED

Moved by: Hansen (Jon)
Second by: Nelson (Stace)
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch

Voting No: Feinstein, Hunt

Excused: Killer

HB 1143: revise certain provisions relating to a perpetrator's knowledge of a rape victim's age or capability to give consent.

THE CHAIR DEFERRED HB 1143 UNTIL WEDNESDAY, FEBRUARY 1, 2012

HB 1126: establish provisions that a bond paid by, or on behalf of, a defendant in a criminal case shall be paid to the Department of Social Services to pay any child support the defendant owes.

THE CHAIR DEFERRED HB 1126 UNTIL WEDNESDAY, FEBRUARY 1, 2012

HB 1053: establish the hope card program relating to protection orders.

THE CHAIR DEFERRED HB 1053 UNTIL WEDNESDAY, FEBRUARY 1, 2012

MOTION: ADJOURN

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

Bonnie Fischer
Committee Secretary

Roger W. Hunt, Chair